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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 CHANNON SOMEY,

13 Defendant.

Case No.: 2:18-cr-00378-APG-VCF

**Stipulation Requesting an
Amendment to the Court's
Order for a Psychiatric or
Psychological Examination of
Defendant [ECF No. 94]**

ORDER

14 The parties, by and through the undersigned, respectfully request that the Court amend
15 its Order granting Government's motion for a psychiatric or psychological examination of the
16 defendant (ECF No. 94) to the extent that the Order permits a private medical health provider
17 retained by the Government to complete the examination of the defendant.

18 On February 14, 2020, this Court granted the Government's motion for a psychiatric or
19 psychological examination of the defendant under Fed. R. Crim. P. 12.2(c)(1)(B). *Id.* At the
20 time of the Government's motion, the Government believed that the Bureau of Prisons (BOP)
21 would conduct the examination at a federal medical center.

22 On April 7, 2020, a representative of BOP informed the Government of its final decision
23 that the BOP would not perform the examination. BOP explained that it is their current policy

that they are authorized conduct pretrial psychiatric or psychological examinations only when ordered to do so under 18 U.S.C. §§ 4241 and 4242.

In connection with this Stipulation, the Government filed a separate motion to continue the trial, ECF No. 97, currently scheduled for June 15, 2020, to a date in August 2020. The Government submitted the motion to continue, in part, because of the limitations imposed to stop the spread of COVID-19 makes it so no private mental health provider is currently able to conduct the necessary examination of the defendant.

Therefore, the parties request this Court amend its Order:

1. to allow a private medical provider retained by the Government to complete the examination of the defendant; and
2. to allow the Government to provide a copy of Dr. Sunshine Collins' report to the examiner with notice that the information shall remain confidential and be used only for purposes of the examination.

Counsel for the defendant hereby stipulates to the above proposed amendments to the Order. The defendant agrees to this stipulation.

Dated: April 27, 2020

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Christopher Lin
CHRISTOPHER LIN
Assistant United States Attorney

/s/ Sunethra Muralidhara
Sunetra Muralidhara, Esq.
Counsel for Defendant

1
2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 CHANNON SOMEE,

8 Defendant.

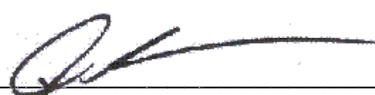
9 Case No.: 2:18-cr-00378-APG-VCF

10 **Order**

11 Based on the pending Stipulation of counsels, and good cause appearing
12 therefore, the Court amends its Order dated February 14, 2020 (ECF No. 94):

13 1. to allow a private medical provider retained by the Government to complete the
14 psychological or psychiatric examination of the defendant; and
15 2. to allow the Government to provide a copy of Dr. Sunshine Collins' report to the
16 examiner with notice that the information shall remain confidential and be used
17 only for purposes of the examination.

18 Dated: April 27, 2020.

19 
20 HONORABLE ANDREW P. GORDON
21 UNITED STATES DISTRICT JUDGE